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Date: January 30, 2002

Docket No.: 4082-0134P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a continuation-in-part application of Appl. No. 09/188,413 filed on November 10, 1998. The present application is filed on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Jacques P. TREMBLAY

For: COMPOSITIONS COMPRISING PRECONDITIONED MYOBLASTS
HAVING ENHANCED FUSION PROPERTIES

Enclosed are:

- ☒ A specification consisting of forty-three (43) pages
- ☒ Three (3) sheet(s) of formal drawings
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☒ Information Sheet
- ☐ Preliminary Amendment
- ☐ Certified copy of Priority Document(s)
- ☐ Priority of Application No(s). filed in on is claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on

01/30/02

U.S. PTO
10/058281
01/30/02

- ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☒ Amend the specification by inserting before the first sentence

--This application is a continuation-in-part of U.S. Application No. 09/188,413 filed on November 10, 1998, which is a continuation-in-part of U.S. Application No. 08/404,888 filed on March 16, 1995, issued as Patent No. 5,833,978 the entire contents of which are hereby incorporated by reference.--

- ☐ Amend the specification by inserting before the first sentence

--This application is a continuation-in-part of PCT international application No. PCT/ which has an international filing date of which designated the United States, the entire contents of which are hereby incorporated by reference.--

- ☒ An extension of time for three (3) month(s) until January 30, 2002, has been submitted in parent Application No. 09/188,413 in order to establish co-pendency with the present application.

- ☐ Other: _____

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$740.00	\$370.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	15-20=	0	x18 = \$0.00	x 9= \$0.00
INDEPENDENT CLAIMS	3-3=	0	x84 = \$0.00	x42= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$0.00	\$370.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed Declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$370.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 2292
P.O. Box 747
Falls Church, VA 22040-0747

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Marc S. Weiner, #32,181
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

MSW/sh
4082-0134P

Attachments

(Rev. 09/26/01)

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Jacques P. TREMBLAY Conf.: Unknown
Appl. No.: New Group: Unknown
Filed: January 30, 2002 Examiner: Unknown
For: COMPOSITIONS COMPRISING PRECONDITIONED
MYOBLASTS HAVING ENHANCED FUSION
PROPERTIES

ASSERTION OF SMALL ENTITY STATUS

Assistant Commissioner for Patents
Washington, DC 20231

January 30, 2002


Sir:

The above-identified application qualifies for small entity status. This written assertion of small entity status should satisfy the requirements of 37 C.F.R. § 1.27.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
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IN THE U.S. PATENT AND TRADEMARK OFFICE

I N F O R M A T I O N S H E E T

Applicant: Jacques P. TREMBLAY
Appl. No.: New
Filed: January 30, 2002
For: COMPOSITIONS COMPRISING PRECONDITIONED
MYOBLASTS HAVING ENHANCED FUSION
PROPERTIES

Priority Claimed Under 35 U.S.C. § 119 and/or § 120:

U.S.S.N. 188,413 filed November 11, 1998

U.S.S.N. 404,888 filed March 16, 1995

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

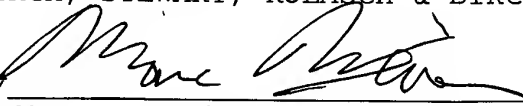
The above information is submitted to advise the U.S.P.T.O.
of all relevant facts in connection with the present application.

A timely executed Declaration in accordance with 37 C.F.R.
§ 1.64 will follow.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


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